

The biweekly E-News Update features current information on the Divisions of Air Quality (DAQ) and Waste and Hazardous Substances (WHS) regarding public meetings, workshops, hearings, and regulatory documents available for public comment, as well as general news updates.

Suggestions? Additions? Please call Caroline Miller Horton at 302-739-9400, or send an email to [caroline.miller-horton@delaware.gov](mailto:caroline.miller-horton@delaware.gov)

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Published by the Divisions of Air Quality and Waste and Hazardous Substances.

## **SECRETARY'S ORDERS**

Secretary's Order No. 2019-WH-0020 — Notice of Administrative Penalty Assessment and Secretary's Order issued to Gulab's Tire Center, LLC, for violation of 7 Del C. Chapter 60 and 7 DE Admin. Code 1301, *Delaware's Regulations Governing Solid Waste* (DRGSW). <https://dnrec.alpha.delaware.gov/secretarys-orders/enforcement/>

Secretary's Order No. 2019-WH-0021 — Notice of Administrative Penalty Assessment and Secretary's Order issued to Master Tire & Auto for violation of 7 Del C. Chapter 60 and 7 DE Admin. Code 1301, *Delaware's Regulations Governing Solid Waste* (DRGSW). <https://dnrec.alpha.delaware.gov/secretarys-orders/enforcement/>

Secretary's Order No. 2019-WH-0022 — Notice of Administrative Penalty Assessment and Secretary's Order issued to Irfan Tire Center for violation of 7 Del C. Chapter 60 and 7 DE Admin. Code 1301, *Delaware's Regulations Governing Solid Waste* (DRGSW). <https://dnrec.alpha.delaware.gov/secretarys-orders/enforcement/>

Secretary's Order No. 2019-WH-0023 — Notice of Administrative Penalty Assessment and Secretary's Order issued to Mall's Tire Center, LLC, for violation of 7 Del C. Chapter 60 and 7 DE Admin. Code 1301, *Delaware's Regulations Governing Solid Waste* (DRGSW). <https://dnrec.alpha.delaware.gov/secretarys-orders/enforcement/>

Secretary's Order No. 2019-WH-0025 — Notice of Administrative Penalty Assessment and Secretary's Order issued to West Auto Repair & Salvage, LLC, for violation of 7 Del C. Chapter 60 and 7 DE Admin. Code 1301, *Delaware's Regulations Governing Solid Waste* (DRGSW). <https://dnrec.alpha.delaware.gov/secretarys-orders/enforcement/>

Secretary's Order No. 2019-WH-0026 — Notice of Administrative Penalty Assessment and Secretary's Order issued to Bayly's Garage for violation of 7 Del C. Chapter 60 and 7 DE Admin. Code 1301, *Delaware's Regulations Governing Solid Waste* (DRGSW). <https://dnrec.alpha.delaware.gov/secretarys-orders/enforcement/>

## **UPCOMING AIR & WASTE, RELATED HEARINGS, MEETINGS, & EVENTS**

### **Third Review Committee Meeting - - Amendments to Stage I/II regulation.**

DNREC Division of Air Quality / Air Quality / Natural Resources and Environmental Control 2019 amendments to 7 DE Admin Code 1124 Section 26 (Stage I) and Section 36 (Stage II). To view this information please use the following link:

<https://dnrec.alpha.delaware.gov/air/permitting/under-development/>

**July 17 at 10:00 AM**, Division of Waste & Hazardous Substances, 715 Grantham Ln, New Castle DE 19720. Contact [frank.gao@delaware.gov](mailto:frank.gao@delaware.gov) or (302) 323-4542. You may also visit: <https://publicmeetings.delaware.gov/Meeting/63101>

## **DIVISION OF AIR QUALITY**

**AIR QUALITY PERMITTING PROGRAM** – Notice has been given that the facilities listed below have submitted applications for air quality management permits. The applications, the “draft/proposed” permits, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the “draft/proposed” permit, may be inspected at the offices of the Division of Air Quality, 100 W. Water Street, Suite 6A, Dover, 19904. All comments and public hearing requests should be mailed to the following address: DIVISION OF AIR QUALITY, 100 W. Water Street, Suite 6A, Dover 19904. To submit comments, for additional information, or for an appointment to inspect the application, please contact Tracy Mattson at (302) 739-9402.

**Federally Enforceable 7 DE Admin. Code 1102 Application: Calpine Mid-Atlantic Generation, LLC**

Notice has been given that:

Calpine Mid-Atlantic Generation, LLC- Edge Moor Energy Center, located at 200 Hay Road, Wilmington, requests revisions to 7 DE Admin. Code 1102 permits to agree with the recent Title V permit renewal for Permit: AQM-003/00007-Renewal (3).

The following 7 DE Admin. Code 1102 permits were amended due to the Title V permit renewal:

- Permit: APC-83/0824-OPERATION(AMENDEMENT 4)(NO<sub>x</sub>RACT)
- Permit: APC-83/0825-OPERATION(AMENDEMENT 5)(NO<sub>x</sub>RACT)
- Permit: APC-83/0826-OPERATION(AMENDEMENT 3)(NO<sub>x</sub>RACT)
- Permit: APC-2011/0170-OPERATION(AMENDEMENT 1)(NSPS)(PTE)

The permits may be reviewed at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware or 715 Grantham Lane, New Castle, Delaware. For additional information or for an appointment to review the application, please contact Tracy Mattson at (302) 739-9402.

A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application within 30 days from the date of this notice, ending **July 15**. A request for a hearing shall be in writing. The request must also show a familiarity with the application and a reasoned statement of the permit’s probable impact. All comments and public hearing requests should be mailed to the following address: State Street Commons, Suite 6A, 100 W. Water Street, Dover 19904, (302) 739-9402. You may also visit: <https://dnrec.alpha.delaware.gov/2019/06/16/federally-enforceable-7-de-admin-code-1102-application-calpine-mid-atlantic-generation-llc/>

**Federally Enforceable 7 DE Admin. Code 1102 Application: Croda, Inc.**

Notice is hereby given that Croda, Inc. having a facility at 315 Cherry Lane, New Castle, Delaware, has requested a federally enforceable 7 DE Admin. Code 1102 construction permit (APC-2019/0067-CONSTRUCTION (GACT)(NSPS)(FE)) for a 2.108 MW (2,922 HP) distributed generator fired on landfill gas with selective catalytic reduction for pollution control. Permitted emissions shall not exceed 3.94 TPY NO<sub>x</sub>, 2.76 TPY CO, 3.29 TPY NMHC, 2.25 TPY PM<sub>10</sub>, 0.28 TPY SO<sub>x</sub>, and 0.84 TPY CH<sub>2</sub>O.

Upon completion of construction, the Department will incorporate the operating conditions and limits of the 7 DE Admin. Code 1102 Construction permit into the facility’s existing Title V permit (Permit: AQM-003/00058 (Renewal 3)) via an Administrative Amendment.

The application, the “draft/proposed” construction permit, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the “draft/proposed” permit may be inspected at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware and 715 Grantham Lane, New Castle, Delaware. To submit comments, for additional information or for an appointment to inspect the application, please contact Tracy Mattson at the Dover Office at 739-9402.

The “draft/proposed” construction permit is being submitted to EPA for concurrent processing. If there are no significant comments, the “draft/proposed” construction permit will be issued as a final permit after the expiration of the EPA review period.

A public hearing on the above application will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application within 30 days from the date of this

notice, ending **July 15**. A request for a hearing shall be in writing. The request must also show a familiarity with the application and a reasoned statement of the permit's probable impact. All comments and public hearing requests should be mailed to the following address: Division of Air Quality, State Street Commons, Suite 6A, 100 W. Water Street, Dover 19904, (302) 739-9042. You may also visit: <https://dnrec.alpha.delaware.gov/2019/06/16/federally-enforceable-7-de-admin-code-1102-application-croda-inc/>

#### **Title V Permit Renewal Application: Wilmington Wastewater Treatment Plant**

Notice is hereby given that Wilmington Wastewater Treatment Plant having a facility at 12<sup>th</sup> Street and Hay Road in Wilmington, Delaware, has submitted a request for permit renewal pursuant to 7 DE Admin. Code 1130, Section 7 for operating permit: AQM-003/00389 – Renewal (3) Revision (2).

Based on the data and certifications contained in the application, the Air Quality Management Section concludes that the applicant meets all applicable requirements promulgated by the Environmental Protection Agency (EPA) and the Department of Natural Resources and Environmental Control (DNREC). Therefore a "draft/proposed" permit renewal has been prepared. This "draft/proposed" permit renewal incorporates regulatory updates since the last permit renewal and establishes emission limits for the flares.

The application, the "draft/proposed" permit renewal, permit: AQM-003/00389 – Renewal (4), all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the "draft/proposed" permit renewal may be inspected at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware and 715 Grantham Lane, New Castle, Delaware. To submit comments, for additional information or for an appointment to inspect the application, please contact Tracy Mattson at the Dover Office at 739-9402.

The "draft/proposed" permit renewal is being submitted to EPA for concurrent processing. If there are no significant comments, the "draft/proposed" permit renewal will be issued as a final permit after expiration of the EPA review period.

A public hearing concerning the permitting action will not be held unless the Secretary of the Department of Natural Resources and Environmental Control receives a request for such hearing within thirty (30) days from the date of this notice, ending **July 15**. A request for a hearing shall be in writing and must show a familiarity with the application and a reasoned statement of the permit renewal's probable impact. Division of Air Quality, State Street Commons, Suite 6A, 100 W. Water Street, Dover 19904, (302) 739-9042. You may also

visit: <https://dnrec.alpha.delaware.gov/2019/06/16/title-v-permit-renewal-application-wilmington-wastewater-treatment-plant/>

### **DIVISION OF WASTE AND HAZARDOUS SUBSTANCES**

**SOLID AND HAZARDOUS WASTE MANAGEMENT SECTION** - The Solid and Hazardous Waste Management Section (SHWMS) hereby gives notice that a permit application has been received from the following companies for the management of solid wastes in the State of Delaware. The application and associated documents are available for review during business hours at our agency Solid & Hazardous Waste Management Section office at 89 Kings Highway, Dover and also at our Lukens Drive office at 391 Lukens Drive in New Castle.

**Solid Waste Transporter Permits Pending** - The Department of Natural Resources and Environmental Control, Division of Waste and Hazardous Substances, hereby gives notice that a permit application has been received from the following companies to transport regulated RCRA hazardous and/or non-hazardous solid wastes in, out of, or through the State of Delaware:

- Abington Reldan Metals
- Action Resources, LLC
- Auchter Industrial Vac Service, Inc.
- Bed Rock Inc. dba Tri-State Motor Transit Co.
- Bio-Haz Solutions, Inc.

Conventional Builders, Inc.  
Delaware River and Bay Authority  
Denali Water Solutions  
Florida Transformer dba Emerald Transformer  
Fogle's Environmental Services  
Hybrid Trux, LLC  
JM Transportation  
JMJ Pro Trucks, LLC  
Johnson Electrical Construction  
KRC Waste Management, Inc.  
Lewis Enterprises, Inc.  
NRC East Environmental Services, Inc.  
R&B Debris, LLC  
Robbie D. Wood  
RPJ Waste Services, Inc.  
South Park Motor Lines, Inc DBA CAST Transportation  
SSD Landscaping, LLC  
Waste Management of Pennsylvania  
Waste Recovery Solutions, LLC dba Covanta Environmental Solutions  
Yigiter, LLC

The applications may be inspected by appointment from 8:00 AM to 4:30 PM Monday through Friday at the offices of DNREC. For additional information or an appointment to inspect the applications, please contact Tara Grazier, DWHS/SHWMS, 89 Kings Hwy, Dover, DE 19901, 302.739.9403.

A public hearing concerning these applications will NOT be held unless the Secretary of DNREC, in care of Karen J'Anthony, receives a meritorious request for a hearing by **June 28** which is within fifteen (15) days from the date of this notice. A request for a hearing must be in writing and shall state the nature of the issues to be raised at the hearing. It must also show a familiarity with the application and a reasoned statement of the activity's probable impact. You may also visit: <https://dnrec.alpha.delaware.gov/2019/06/13/solid-waste-transporter-permits-pending/>

**Solid Waste Transporter Permits Pending** - The Department of Natural Resources and Environmental Control, Division of Waste and Hazardous Substances, hereby gives notice that a permit application has been received from the following companies to transport regulated RCRA hazardous and/or non-hazardous solid wastes in, out of, or through the State of Delaware:

Atlantic Response  
Costa Haulers  
Debex Enterprises, Inc.  
Delaware Cheaper Trash  
Dependable Construction of DE  
Design Contracting, Inc.  
JJID, Inc.  
Joseph Enterprises, LLC  
R.T. Opdenaker & Sons  
Tolz Partners DBA JDog Junk Removal  
S.B. Trucking, Inc.  
Sit Enterprises, Inc.  
Stone Express  
Wills Trucking, Co.

The applications may be inspected by appointment from 8:00 AM to 4:30 PM Monday through Friday at the offices of DNREC. For additional information or an appointment to inspect the applications, please contact Tara Grazier, DWHS/SHWMS, 89 Kings Hwy, Dover, DE 19901, 302.739.9403.

A public hearing concerning these applications will NOT be held unless the Secretary of DNREC, in care of Karen J'Anthony, receives a meritorious request for a hearing by **June 30**, which is within fifteen (15) days from the date of this notice. A request for a hearing must be in writing and

shall state the nature of the issues to be raised at the hearing. It must also show a familiarity with the application and a reasoned statement of the activity's probable impact. You may also visit: <https://dnrec.alpha.delaware.gov/2019/06/15/solid-waste-transporter-permits-pending-2/>

**SITE INVESTIGATION AND RESTORATION SECTION (SIRS)** is responsible for the identification, evaluation, and remediation of sites in Delaware that have had past releases of hazardous substances. The section manages the contaminated sites under three major programs in accordance with the Hazardous Substance Cleanup Act (HSCA). The three programs are the **Brownfields Development Program, the Voluntary Cleanup Program (VCP), and the HSCA Enforcement Program** (for sites requiring enforcement action).

**The Brownfields Development Program** encourages the cleanup and redevelopment of either the entire property, the expansion of the property, or the reuse of the property which may be hindered by the reasonable held belief that the property may be contaminated. A party seeking to develop such a property negotiates with SIRS for a **Brownfields Development Agreement (BDA)** to perform an investigation and, if necessary, a remedy, for the purpose of addressing the risks posed by past releases of hazardous substances at these sites. However, a BDA is only available to parties that are not current owners or operators of the site. The **Voluntary Cleanup Program (VCP) Agreement** is available to site owners who want to clean up their sites and are already liable as a potentially responsible party for the site.

#### **Notification of Negotiations for a Brownfields Development Agreement for the 837 North DuPont Highway Site**

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfields Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfields Developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) is negotiating a BDA with 837 DuPont DE LLC regarding the 837 North DuPont Highway Site (Site), located at 837 North DuPont Highway in Dover, Delaware. Identified by as Kent County as tax parcel number 2-05-05700-01-4300-00001 the Site may have had a release of hazardous substances as a result of historical activities on site. For more information, please see DNREC's navigator at: <http://www.nav.dnrec.delaware.gov/DEN3>.

Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager Stephanie Gordon, at (302) 395-2600 or [Stephanie.Gordon@delaware.gov](mailto:Stephanie.Gordon@delaware.gov). You may also visit:

<https://dnrec.alpha.delaware.gov/2019/06/16/notification-of-negotiations-for-a-brownfields-development-agreement-for-the-837-north-dupont-highway-site/>

#### **Notification of Public Comment for a Brownfield Development Agreement for the Former Penny Hill Mobil Site**

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfield Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfield developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) negotiated a BDA with Custom Concessions LLC regarding the Former Penny Hill Mobil Site (Site), located at 2509 Philadelphia Pike in Claymont, Delaware. Identified by New Castle County as tax parcel number 06.095.00-545, the Site may have had a release of hazardous substances as a result of historical

activities on site. For more information, please see DNREC's navigator at:  
<http://www.nav.dnrec.delaware.gov/DEN3>.

The public comment period begins Monday, June 17 and will close at the end of the business day (4:30 p.m.) on Monday, **July 8**. Please submit written comments to the DNREC-SIRS Project Manager, Kristen Thornton at DNREC-SIRS, 391 Lukens Drive, New Castle, DE 19720. A copy of the BDA is available at the office of DNREC – SIRS or by accessing the DNREC-SIRS' site files database.

Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, Kristen Thornton at (302) 395-2600 or [Kristen.Thornton@delaware.gov](mailto:Kristen.Thornton@delaware.gov). You may also visit: <https://dnrec.alpha.delaware.gov/2019/06/16/notification-of-public-comment-for-a-brownfield-development-agreement-for-the-former-penny-hill-mobil-site/>

## **TANK MANAGEMENT SECTION**

### **Reg. 2 Permits Applications: Wawa, Inc.**

Notice is hereby given that applications have been filed by Wawa, Inc., for a construction/operating permit for a Stage I & II vapor recovery system, at their facility located at Wawa Food Market #876, 160 East Street, Camden Wyoming, DE in Kent County. The application may be inspected at the office of the Division of Waste and Hazardous Substances, 391 Lukens Drive, New Castle, Delaware. For additional information or an appointment to inspect the application, please contact: Jennifer Vavala, Division of Waste and Hazardous Substances, Tank Management Section, 391 Lukens Drive, New Castle, DE 19720 (302) 395-2500. The comment period ends on **July 1**. A public hearing on the above applications will NOT be held unless the Secretary of DNREC receives a request within 15 days from the date of this notice. A request for a hearing shall be in writing and must also show a familiarity with the application and a reasoned statement of the permit's probable impact. **THIS IS THE ONLY LEGAL NOTICE TO APPEAR.** For more information visit: <https://dnrec.alpha.delaware.gov/2019/06/16/reg-2-permits-applications-wawa-inc/>

### **Reg. 2 Permits Application: BT-Newyo LLC (UPS)**

Notice is hereby given that applications have been filed by BT-Newyo LLC (UPS), for a construction/operating permit for a Stage I EVR vapor recovery system, at their facility located at UPS New Castle, 721 Hamburg Road, New Castle, DE in New Castle County. The application may be inspected at the office of the Division of Waste and Hazardous Substances, 391 Lukens Drive, New Castle, Delaware. For additional information or an appointment to inspect the application, please contact: Jennifer Vavala, Division of Waste and Hazardous Substances, Tank Management Section, 391 Lukens Drive, New Castle, DE 19720 (302) 395-2500. The comment period ends on **July 1**. A public hearing on the above applications will NOT be held unless the Secretary of DNREC receives a request within 15 days from the date of this notice. A request for a hearing shall be in writing and must also show a familiarity with the application and a reasoned statement of the permit's probable impact. **THIS IS THE ONLY LEGAL NOTICE TO APPEAR.** For more information visit: <https://dnrec.alpha.delaware.gov/2019/06/16/reg-2-permits-application-bt-newyo-llc-ups/>

## **CONTACT INFORMATION**

### **24-Hour Environmental Report and Spill Notification Line - 1-800-662-8802**

Aboveground Storage Tanks - 302-395-2500  
Air Quality - New Castle Office - 302-323-4542  
Air Quality – Kent & Sussex – 302-739-9402  
Asbestos New Castle - 302-323-4542  
Asbestos Kent & Sussex - 302-739-9402  
Biosolids Permits - 302-739-9946  
Boiler Safety - 302-395-2500  
Brownfields - 302-395-2600  
Community Ombudsman - 302-739-9040

Community Services - 302-739-9959  
Delaware Estuary Program - 302-739-9283 (Delaware Coastal Management Program)  
Division of Air Quality Director's Office - 302-739-9402  
Division of Energy & Climate - 302-735-3480  
Division of Waste and Hazardous Substances Director's Office - 302-739-9400  
Division of Water Information - 302-739-9950  
Dock/Dredging/Bulkheads/Rip-Rap/Wetlands & Subaqueous Lands - 302-739-9943  
Emergency Prevention and Response - 302-739-9404  
Environmental Crimes Unit - 302-739-9401 or 1-800-662-8802  
Environmental Laboratory - 302-739-9942  
Hazardous Waste - 302-739-9403  
Hazardous Chemical and Toxic Release Inventories – 302-739-9404  
Industrial Stormwater Permits - 302-739-9946  
Loans & Grants for Wastewater and Septic's (Environmental Finance) - 302-739-9941  
Medical Waste - 302-739-9403  
Non-Hazardous Liquid Waste Transporters - 302-739-9948  
On-site Wastewater Licensing Program - 302-739-9948  
Open Burning - 302-739-9402  
Outreach Ombudsman - 302-395-2600  
Recycling - 302-739-9403  
Septic System Permits - Large Systems (Community & I/A) Statewide - 302-739-9948  
Septic System Permits - Small Systems for Kent & New Castle Counties - 302-739-9947  
Septic System Permits - Small Systems for Sussex Co. & Holding Tank Compli. Program - 302-856-4561  
Site Investigation & Restoration Section (Superfund/Brownfields) - 302-395-2600  
Small Business Ombudsman - 302-739-9069  
Solid Waste - 302-739-9403  
Source Water Protection - 302-739-9945  
Surface Water Discharge Permits (NPDES) - 302-739-9946  
Underground Injection Control & Spray Irrigation - 302-739-9948  
Underground Storage Tanks - 302-395-2500  
Wastewater Collection, Conveyance, and/or Treatment Facility Construction Permits - 302-739-9946  
Wastewater Treatment Facility Operators - 302-739-9946  
Water Allocation Permits - 302-739-9945  
Water Testing - Drinking Water (Division of Public Health) - 302-741-8630  
Water Supply - 302-739-9945  
Well Driller's License - 302-739-9944  
Well Permits & Licensing - 302-739-9944  
Wells - 302-739-9944  
Wetlands and Subaqueous Lands Section - 302-739-9943